



General Assembly

January Session, 2005

Raised Bill No. 1330

LCO No. 4595

04595_____APP

Referred to Committee on Appropriations

Introduced by:
(APP)

***AN ACT CONCERNING SUCCESSOR ORGANIZATIONS TO THE
CHILDREN'S CENTER, HAMDEN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-183b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 As used in this chapter, unless the context otherwise requires:

4 (1) "Actuarial reserve basis" means a basis under which the
5 liabilities of the retirement system are determined under acceptable
6 actuarial methods and under which assets are accumulated under a
7 program designed to achieve a proper balance between the
8 accumulated assets and the liabilities of the system.

9 (2) "Amortization of unfunded liabilities" means a systematic
10 program of annual payments determined as a level per cent of
11 expected member annual salaries in lieu of a lump sum payment.

12 (3) "Annual salary" means the annual salary rate for service as a
13 Connecticut teacher during a school year but not including unused
14 sick leave, unused vacation, terminal pay, coaching or extra duty

15 assignments, unless compensation for coaching or extra duty
16 assignment was included in salary for which contributions were made
17 prior to July 1, 1971. In no event shall annual salary include amounts
18 determined by the board to be included for the purpose of inflating the
19 member's average annual salary. The inclusion in annual salary of
20 amounts paid to the member, in lieu of payment by the employer for
21 the cost of benefits, insurance, or individual retirement arrangements
22 which in prior years had been paid by the employer and not included
23 in the member's annual salary, shall be prima facie evidence that such
24 amounts are included for the purpose of inflating the member's
25 average annual salary. Annual salary shall not include payments the
26 timing of which may be directed by the member. Annual salary shall
27 not include payments to a superintendent pursuant to an individual
28 contract between such superintendent and a board of education, of
29 amounts which are not included in base salary. Annual salary shall
30 include amounts paid to the member during a sabbatical leave during
31 which mandatory contributions were remitted, provided such member
32 returned to full-time teaching for at least five full years following the
33 completion of such leave.

34 (4) "Average annual salary" means the average annual salary
35 received during the three years of highest salary.

36 (5) "Board" means the Teachers' Retirement Board.

37 (6) "Child" means a natural child, an adopted child, or a stepchild of
38 a deceased member who has been a stepchild for at least one year
39 immediately prior to the date on which the member died. A child is a
40 "dependent child" of a deceased member if at the time of the member's
41 death (A) the member was living with the child or providing or
42 obligated to provide, by agreement or court order, a reasonable
43 portion of the support of the child, and (B) the child (i) is unmarried
44 and has not attained age eighteen, or (ii) is disabled and such disability
45 began prior to the child attaining age eighteen.

46 (7) "Contributions" mean amounts withheld pursuant to this chapter

47 and paid to the board by an employer from compensation payable to a
48 member. Prior to July 1, 1989, "mandatory contributions" are
49 contributions required to be withheld under this chapter and consist of
50 five per cent regular contributions and "one per cent contributions".
51 From July 1, 1989, to June 30, 1992, "mandatory contributions" are
52 contributions required to be withheld under this chapter and consist of
53 five per cent regular contributions and one per cent health
54 contributions. From July 1, 1992, to June 30, 2004, "mandatory
55 contributions" are contributions required to be withheld under this
56 chapter and consist of six per cent "regular contributions" and one per
57 cent health contributions. On or after July 1, 2004, "mandatory
58 contributions" are contributions required to be withheld under this
59 chapter and consist of six per cent regular contributions and one and
60 one-fourth per cent health contributions. "Voluntary contributions" are
61 contributions by a member authorized to be withheld under section
62 10-183i.

63 (8) "Credited interest" means interest at the rate from time to time
64 fixed by the board which shall be substantially that earned by the
65 funds of the system. Such interest shall be applied to a member's
66 account based on the balance as of the previous June thirtieth. Credited
67 interest shall be assessed on any mandatory contributions which were
68 due but not remitted prior to the close of the school year for which
69 salary was paid.

70 (9) "Current service" means service rendered in the current fiscal
71 year.

72 (10) "Dependent former spouse" means a former spouse of a
73 deceased member who (A) has in his or her care a dependent child of
74 the deceased member; and (B) was receiving, or was entitled to receive,
75 from the deceased member at the time of the death of the deceased
76 member, at least one-half of his or her support; and (C) has not
77 remarried; and (D) is the parent of the child or adopted the child while
78 married to the member and before the child attained age eighteen or,

79 while married to the member, both of them adopted the child before
80 the child attained age eighteen.

81 (11) "Dependent parent" means a parent of a deceased member who
82 (A) has reached the age of sixty-five; and (B) has not married after the
83 death of the member; and (C) was receiving at least one-half of his or
84 her support from the member at the time of the member's death and
85 files proof of such support within two years of the date of the
86 member's death; and (D) is not receiving, or entitled to a federal or
87 state old age benefit based on the parent's own earnings, equal to or
88 greater than the amount the parent would be entitled to as a
89 dependent parent under this chapter. A "parent of a deceased member"
90 is (i) the mother or father of a deceased member; or (ii) a stepparent of
91 a deceased member by a marriage entered into before the member
92 attained age sixteen; or (iii) an adopting parent of a deceased member
93 who adopted the deceased member before the member attained age
94 sixteen.

95 (12) "Designated beneficiary" means a person designated on a form
96 prescribed by the board by a member to receive amounts which
97 become payable under this chapter as the result of the member's death
98 whether before or after retirement. If a designated beneficiary is not
99 living at the time of the death of a member, the amounts that would
100 have been payable to the designated beneficiary shall be paid to the
101 member's estate.

102 (13) "Disabled" means inability to engage in any substantial gainful
103 activity by reason of any medically determinable physical or mental
104 impairment which can be expected to result in death or to be of long-
105 continued and indefinite duration, except that during the first twenty-
106 four months that a member is receiving a disability allowance,
107 "disabled" means the inability to perform the usual duties of his
108 occupation by reason of any such impairment.

109 (14) "Employer" means an elected school committee, a board of
110 education, the State Board of Education, the board of governors or any

111 of its constituent units, the governing body of the Children's Center
112 and its successors, the E. O. Smith School and any other activity,
113 institution or school employing members.

114 (15) "Formal leave of absence" means any absence from active
115 service in the public schools of Connecticut formally granted by a
116 member's employer as evidenced by contemporary records of the
117 employer, provided in the case of an absence due to illness, medical or
118 other evidence of such illness may, at the discretion of the Teachers'
119 Retirement Board, be accepted in lieu of evidence of the formal
120 granting of a leave.

121 (16) "Formal application of retirement" means the member's
122 application, birth certificate or notarized statement supported by other
123 evidence satisfactory to the board, in lieu thereof, records of service
124 when required by the board to determine a salary rate or years of
125 creditable service, statement of payment plan and, in the case of an
126 application for a disability benefit, a physician's statement of health.

127 (17) "Funding" means the accumulation of assets in advance of the
128 payment of retirement allowances in accordance with a definite
129 actuarial program.

130 (18) "Member" means any Connecticut teacher employed for an
131 average of at least one-half of each school day, except that no teacher
132 who under any provision of the general statutes elects not to
133 participate in the system shall be a member unless and until the
134 teacher elects to participate in the system. Members teaching in a
135 nonpublic school classified as a public school by the board under the
136 provisions of this section may continue as members as long as they
137 continue as teachers in such school even if the school ceases to be so
138 classified. A former teacher who has not withdrawn his or her
139 accumulated contributions shall be an "inactive member". A member
140 who, during the period of a formal leave of absence granted by his or
141 her employer, but not exceeding an aggregate of ten school months,
142 continues to make mandatory contributions to the board, retains his or

143 her status as an active member.

144 (19) "Normal cost" means the amount of contribution which the
145 state is required to make into the retirement fund in order to meet the
146 actuarial cost of current service.

147 (20) "Public school" means any day school conducted within or
148 without this state under the orders and superintendence of a duly
149 elected school committee, a board of education, the State Board of
150 Education, the board of governors or any of its constituent units, the E.
151 O. Smith School, the Children's Center and its successors, joint
152 activities of boards of education authorized by subsection (b) of section
153 10-158a and any institution supported by the state at which teachers
154 are employed or any incorporated secondary school not under the
155 orders and superintendence of a duly elected school committee or
156 board of education but located in a town not maintaining a high school
157 and providing free tuition to pupils of the town in which it is located,
158 and which has been approved by the State Board of Education under
159 the provisions of part II of chapter 164, provided that such institution
160 or such secondary school is classified as a public school by the
161 retirement board.

162 (21) "Retirement allowance" means payments for life derived from
163 member contributions, including credited interest, and contributions
164 from the state.

165 (22) "School year" means the twelve months ending on June thirtieth
166 of each year.

167 (23) "Surviving spouse" means a widow or widower of a deceased
168 member who (A) was living with the member at the time of the
169 member's death, or receiving, or entitled by court order or agreement
170 to receive, regular support payments from the member, and (B) has not
171 remarried.

172 (24) "Survivors" means a surviving spouse, a dependent former

173 spouse, a dependent child and a dependent parent.

174 (25) "System" means the Connecticut teachers' retirement system.

175 (26) "Teacher" means (A) any teacher, permanent substitute teacher,
 176 principal, assistant principal, supervisor, assistant superintendent or
 177 superintendent employed by the public schools in a professional
 178 capacity while possessing a certificate or permit issued by the State
 179 Board of Education, provided on and after July 1, 1975, such certificate
 180 shall be for the position in which the person is then employed, (B)
 181 certified personnel who provide health and welfare services for
 182 children in nonprofit schools, as provided in section 10-217a, under an
 183 oral or written agreement, (C) any person who is engaged in teaching
 184 or supervising schools for adults if the annual salary paid for such
 185 service is equal to or greater than the minimum salary paid for a
 186 regular, full-time teaching position in the day schools in the town
 187 where such service is rendered, and (D) a member of the professional
 188 staff of the State Board of Education or of the Board of Governors of
 189 Higher Education or any of its constituent units. A "permanent
 190 substitute teacher" is one who serves as such for at least ten months
 191 during any school year.

192 (27) "Unfunded liability" means the actuarially determined value of
 193 the liability for service before the date of the actuarial valuation less
 194 the accumulated assets in the retirement fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2005	10-183b

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Statement of Purpose:

To clarify that the two statutory references to the Children's Center, Hamden, in chapter 167a of the general statutes include its successors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

